

REMARKS/ARGUMENTS

Examiner Layno is thanked for his thorough examination of the subject Patent Application. The claims have been carefully reviewed and amended in response to the Examiner's kind suggestions, allowance of the Patent Application is therefore respectfully requested.

In the specification, two paragraphs were added on page 10, line 8. The paragraphs were derived from Claims 6 and 7. No new material has been added.

Claims 1-5 have been cancelled. Claims 7, 8 and 11, 12 remain in this application. Claim 6, 9, 10 and 13-16 have been amended. No new material has been added.

Briefly, applicants wish to point out the major features of their invention which is a novel word forming card game. The alphabet challenge card game has a merit and demerit point system. The flexibility in playing the game starts with the agreed upon ground-rules. The rules can be made to conform with the level of participants, that is, an elementary group of children can participate as a group as well as senior participants and all age levels between. The game includes a level of luck in the type of cards that are dealt to each players and the challenge to a player is how to play the dealt hand with the weakest word forming cards and to succeed in winning with the least penalty points. The wild cards and special function cards adds to the challenge of creating a strategic offense and defense for winning.

Reconsideration of the rejection of Claims 6, 8, 9, and 15 under 35 U.S.C., 102(b), as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Marcley et al., is requested, in light of the following arguments.

Marcley et al, teaches a word rummy card game using two decks, one containing letters of the alphabet, the other preformed mystery words. The winner is the player who first completes the prescribed words on the card using his combination of letter and wild cards from the playing card first deck wins the game. Marcley et al. does not have a point system of merit and penalty points. The flow of the game and the challenges cannot be compared to that of the present invention.

The game includes the sequence of steps of providing a deck of alphabet challenge cards for two to four players, two decks for five to nine players while removing two of the special function cards and three decks for 9 to 12 players minus two of the special function cards from two of the decks. Each deck has seventy two cards including a combination of sixty four cards having on its face an alphabet indicia for creating words, and four wild cards, and four special function cards, each having identifying markings on its face. Prior to starting play, ground rules are established that describe uses of the wild cards and the special function cards. A score keeper is selected.

The deck of cards are shuffled and twelve cards are dealt to each player, starting with a designated first player and placing the remaining cards, face down to establish draw pile. The dealer removes the top card from the draw pile and places the top card

face up to start a discard pile. The designated first player draws a card, either from the draw pile, or from the discard pile and forms a word to be cast. After a first word is cast, the player is permitted to use any of the special function cards. This rule is labeled "passport" which applies to all players during their turn. If the first player cannot cast a word, then the player must discard one card and forfeits his/her turn to a next player positioned to his/her left. The next player repeats the same word forming sequence. This process continues until a player draws the last card from the draw pile and all cards are used up. The score keeper names a winner by determining the player with the least penalty points and awards the winner merit points for winning the game. All other players receive demerit points.

Reconsideration of the rejection of Claims 7, 12, 13, 14 and 15 under 35 U.S.C. 103(a), as being unpatentable over Marcley et al., as applied to claim 6 above, and further in view of (Zeng and Scrabble) is requested, in light of the following arguments.

Again Marcley et al, teaches a word rummy card game using two decks, one containing letters of the alphabet, the other preformed mystery words. The winner is the player who first completes the prescribed words on the card using his combination of letter and wild cards from the playing card first deck wins the game. Marcley et al. does not have a point system of merit and penalty points. Although, Zeng and Scrabble are directed towards remotely similar applications, it is respectfully suggested that the combination of these references cannot be made without reference to Applicant's own invention. None of the references addresses the use of both a merit and demerit point

system to determine a winner. Applicant teaches a card game with a predefined set of ground rules. The determination of a winner is through word power vocabulary and planning of how to win by carefully casting or holding cards to achieve a higher point count when the final points are calculated. The player who finishes first may not have the most points since the cards he/she casted may not have a high point value because of the low value cards used to form the words. In addition, the player who has the least count of points remaining in their hands when a player picks up the last card from the draw pile to end the game adds to make the game more challenging and interesting.

The Alphabet Challenge Card game shown in FIGs. 1 - 4 and Claims 6 - 16 are believed to be novel and patentable over these various references, because there is not sufficient basis for concluding that the combination of claimed elements would have been obvious to one skilled in the art. That is to say, there must be something in the prior art or line of reasoning to suggest that the combination of these remote applications is desireable or evident to a word game aficionado. We believe that there is no such basis for the combination. We therefore request Examiner Layno to reconsider his rejection in view of these arguments and the amendments to the specification and claims.

Applicant respectfully requests that a timely Notice of Allowance be issued.

Respectfully submitted,

Stephen B. Ackerman, Reg. # 37,761

A handwritten signature in black ink, appearing to be 'SBA', written over a horizontal line.

Tel.: (845) 452-5863